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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,483	10/22/2003	Louis W. Blanco	9000/8	5046

27774 7590 02/10/2005

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EXAMINER

REKSTAD, ERICK J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/691,483	<b>Applicant(s)</b> BLANCO ET AL.	
	<b>Examiner</b> Erick Rekstad	<b>Art Unit</b> 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This is a first action for application no. 10/691,483 filed on October 22, 2003 in which claims 1-20 are presented for examination.

#### ***Claim Objections***

Claim 11 is objected to because of the following informalities: The claim depends on a non-existent claim 26. It is assumed the claim is dependent on claim 9. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 9-16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication US 2003/0095688 A1 to Kirmuss in view of US Patent Application Publication US 2003/0112929 A1 to Chuang.  
[claims 1, 2, 9 and 12]

As shown in Figures 2 and 3A, Kirmuss teaches an in-car video system. The system comprises a video camera (310, Fig. 3A) fixably mounted to a vehicle for capturing an image of an event and producing a corresponding video stream (Paragraph [0132] on page 10); a digital video recorder (204, Fig. 2) fixably mounted to the vehicle (Paragraphs [0129], [0131], [0152] and [0155]); and a controller (290, Fig. 2) coupled to the video recorder to control writing of data that is representative of the video

stream to the removable IDE Hard Drive (118, Fig. 2) to thereby generate a stored video record of the event (Paragraphs [0139]). Kirmuss further teaches though a removable hard disk is shown it is envisioned that other digital recording media such as memory sticks and the like are useable in conjunction with, or in place of, the one or more removable IDE hard disks (Paragraph [0224]). It would have been obvious to one of ordinary skill in the art to use a hard drive, CD-R drive or memory sticks as the storage means as Kirmuss teaches them all as possible storage means. Kirmuss does not teach the memory sticks are flash memory.

Chuang teaches the use of Compact Flash, memory sticks, secure digital memory cards or tapes for storing video (Paragraph [0009]). It would have been obvious to one of ordinary skill in the art at the time of the invention to replace the memory sticks of Kirmuss with the Compact Flash recording means of Chuang as they can both be used to store video as taught by Chuang.

[claims 3 and 4]

As shown above, Chuang teaches the use of Compact Flash, memory sticks, secure digital memory cards or tapes for storing video (Paragraph [0009]). It would have been obvious to one of ordinary skill in the art at the time of the invention to use any of the storage means as they can all be used to store video as taught by Chuang.

[claim 10]

Kirmuss further teaches the automatic activation of the recorder based on the vehicle's emergency systems including emergency lights in order to provide only incident recording (Paragraphs [0103], and [0145]-[0146]). It would have been obvious

to one of ordinary skill in the art at the time of the invention to combine the system of Kirmuss and Chuang with the recording method of Kirmuss in order to provide incident-only recording.

[claims 11 and 20]

As best understood by the examiner, Kirmuss further teaches the use of multiple high capacity storage devices in order to provide additional recording time (Paragraph [0224]. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Kirmuss and Chuang with the multiple high capacity storage devices as taught by Kirmuss in order to provide additional recording time.

[claims 13-16]

Kirmuss further teaches the reading of the data on the high-capacity storage medium in order to transfer via a wireless connection to a database of a central base station (Paragraph [0158]). Kirmuss further teaches the uploading of the video by connecting the high-capacity storage medium to an external PC (Paragraph [0161]). Kirmuss teaches the removal of the high-capacity storage medium in order to transfer the contents to a central storage system (Paragraph [0162]). Kirmuss further teaches the replay of stored digital video on a display in order to allow the police officer to obtain such information as license plate of a pursued vehicle (Paragraphs [0137]-[0139]). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Kirmuss and Chuang with the transmitting method of Kirmuss in order to transfer the store video to a central storage system.

Claims 5-8 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kirmuss and Chuang as applied to claims 1 and 12 above, and further in view of US Patent 5,794,164 to Beckert et al.

[claims 5-8 and 17-19]

Kirmuss teaches the use of the embodiment in a compartment smaller than a PC or VCR-based system and accordingly may be installed in most compartments of the carrier vehicle. Kirmuss further teaches that for a motorcycle the embodiment may be mounted in a sealed radio compartment saddle (Paragraph [0152]). Kirmuss does not specifically teach the installation in a DIN sized opening. Beckert teaches a vehicle computer system containing a smart media card reader sized to fit the standard DIN form factor in order to replace a conventional sound system in the dashboard (Col 2 Lines 2-21 and Col 3 Lines 5-20). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the DIN size housing of Beckert with the system of Kirmuss and Chuang in order to place the system in the dash. It would have been obvious to one of ordinary skill in the art at the time of the invention that using a housing with the single DIN size the housing would also fit a 1.5 and double DIN housing.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Application Publication 2003/0151663 A1 to Lorenzetti et al.

US Patent Application Publication 2002/0131768 A1 to Gammenthaler.

US Patent Application Publication 2003/0086000 A1 to Siemens et al.

US Patent Application Publication 2002/0101509 A1 to Slomski.

US Patent 6,389,340 to Rayner.

US Patent 6,002,326 to Turner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 703-305-5543. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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